

FINAL

**MARION CONSERVATION COMMISSION**  
MINUTES OF THE REGULAR MEETING HELD ON SEPTEMBER 11, 2013

Members Present: Lawrence B. Dorman, Chairman  
Norman A. Hills, Vice Chairman  
Joel D. Hartley, Treasurer  
Stephen C. Gonsalves, Clerk  
Jeffrey J. Doubrava, Member

Members Absent: Wendy L. Carreau, Associate

Secretary: Diane R. Drake

Others Present: Dr. James Hermenegildo (Rivers Edge), Thomas Sullivan (Rivers Edge), Joan Hartnett-Barry (The Wanderer), Edwin Gless (Existing Grade, Inc.), Susan Nilson (CLE Engineering, Inc.) and Kenneth Steen Bay Watch Realty Trust).

Meeting convened at 7:00 PM on Wednesday, September 11, 2013 in the conference room of the Marion Town House, 2 Spring Street, Marion, Massachusetts. Site inspections were held on Saturday, September 7, 2013 by N. Hills and J. Hartley. This meeting was audio recorded by Town of Marion staff.

7:00 PM Meeting commenced.

**RIVER EDGE COMMON LAND TRUST** – In response to a report of an unauthorized pier being built on the Sippican River on Assessors' Lot 68 (Map 9), N. Hills and Shellfish Officer Isaac Perry inspected the site and verified the construction taking place. N. Hills issued an Enforcement Order to the Trust on September 6, 2013 and moved to have the Commission ratify its issuance as written; J. Hartley seconded the motion; voted by majority with J. Doubrava abstaining.

**OTHER:**

A. **Jeffrey J. Doubrava** was welcomed. He was appointed a full Member by the Selectmen on September 10, 2013 to fill the remainder of Sherman Briggs' term expiring on June 30, 2015.

B. **Associate Member opening** – The Commission discussed the need to advertise again in *The Wanderer* as suggested at the Board of Selectmen's meeting.

C. **Sprague's Cove Stormwater Remediation Project** – N. Hills said the phragmites are growing in the water now. Another inspection will be held on September 21, 2013. (File No. SE 041-556.)

7:15 PM **RIVER EDGE COMMON LAND TRUST** – appointment for discussion regarding the pier being built by Dr. James Hermenegildo at the Sippican River behind 87 Bullivant Farm Road. Present were Thomas Sullivan, the President of the River Edge Common Land Trust, and Dr. Hermenegildo who is having the pier built. Dr. Hermenegildo said his path leads to the River where there are remains of an old pier, and he has contracted an engineer to obtain a Chapter 91 license for the pier. Dr. Hermenegildo said the pier is on River Edge land and if the pier is built he will pay for it and donate it to the River Edge Common Land Trust. Thomas Sullivan said the Association Members will have to vote to approve the pier which is on Rivers Edge land. Dr. Hermenegildo said he will only use the pier about four times a year, so other Rivers Edge homeowners could use it, too which will be a win/win situation. L. Dorman asked Dr. Hermenegildo to let the Commission know by September 24, 2013 who the engineer is that is being retained, and hopefully the River Edge Land Trust will have voted to approve this project by then.

7:30 PM **MARION LANDS TRUST**, Lot 29 Front Street (also known as Route 105 or Rochester Road) – Notice of Intent (File No. SE 041-1205) to install a Stormceptor pipe discharging to the buffer zone of a bordering vegetated wetland on the abutting Bay Watch Realty Trust project. Kenneth Steen was present with his engineer, Edwin Gless of Existing Grade, Inc. Susan Nilson of CLE Engineering, Inc. was present on behalf of the Applicant. E. Gless said the flow is basically unchanged even though the size of the parking lot has doubled. The Stormceptor will separate oils from the water. There will be about 10' of riprap at the outflow. E. Gless said the Stormceptor is designed for a 25-year storm event and will be maintained on the same schedule as the other Bay Watch Realty Trust Stormceptors. S. Nilson said she did not think the entire Operation and Maintenance Plan for the whole 40B Project site should pertain to this lot as well; E. Gless said he would submit a maintenance schedule for the Stormceptor on just this property. L. Dorman moved to close the hearing; N. Hills seconded; voted unanimously. J. Hartley drafted the Order of Conditions and moved to issue it as written; L. Dorman seconded; voted unanimously.

Meeting adjourned at 7:53 PM.

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Diane R. Drake, Secretary

Approved September 25, 2013